

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GILBERT POLANCO, JR.,

ECF Case
07 Civ 7957 (GBD)

Plaintiff,

-against-

LOCAL 32 BJ AND MICHAEL FISHMAN,
PRESIDENT OF LOCAL 32BJ,

AFFIDAVIT OF
ANDREW L. STROM
IN SUPPORT OF
DEFENDANTS' MOTION
TO DISMISS PURSUANT
TO F.R.Civ.P. 12(b)(6)

Defendants.

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STATE OF NEW YORK)ss.
COUNTY OF NEW YORK)

ANDREW L. STROM, being duly sworn, deposes and says:

1. I am an attorney admitted to practice before this Court, and I am the attorney of record for Defendants Service Employees International Union, Local 32BJ and Michael Fishman in this action. The following statements are based upon my personal knowledge and a review of business records maintained by Local 32BJ.
2. Attached hereto as Exhibit 1 is a true copy of Arbitrator Marilyn Levine's Opinion and Award regarding the termination of Plaintiff Gilberto Polanco, Jr.
3. Attached hereto as Exhibit 2 is a true copy of the Summons with Notice with the Index Number 07/107203 filed with the Supreme Court of the State of New York, County of New York on May 22, 2007.



Andrew L. Strom

Sworn to before me this
17th day of September, 2007.



Notary Public

LYLE D. ROWEN
Notary Public State of New York
No. 02RO6118383
Qualified in New York County
Commission Expires November 8, 2008